

ORDERED.

Dated: March 05, 2020


Karen S. Jennemann
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
Middle District of Florida
Orlando Division**

IN RE:

Case No: 6:18-bk-06515-KJ

KATHY LEE DUERSON-LOVE

Debtor /

Chapter 13

ORDER GRANTING DEBTOR'S THIRD MOTION TO MODIFY CONFIRMED PLAN

THIS CAUSE came before the Court without a hearing upon the Debtor's Third Motion to Modify Confirmed Plan, (Document No.84) and the Consent filed by the Trustee (Document No.85). The Trustee, in her review of the Motion to Modify, noted the Debtor certified that all creditors and interested parties had received a copy of the Motion. The Court having noted that all issues are resolved by this Order and/or were resolved at the hearing, it is hereby:

ORDERED AND ADJUDGED:

1. That the Debtor's Motion is granted, and the Order Confirming Chapter 13 Plan is modified, pursuant to the payments and disbursements set forth on Exhibit "A" attached hereto.
2. All other provisions of the Order Confirming Chapter 13 Plan entered by this Court on March 13, 2019 shall remain the same and in full force and effect.
3. The Debtor, Debtor's Counsel, each Creditor, and creditor's counsel are each responsible for their own independent review of this confirmation order and the distribution of the Plan payments set forth herein. Further, the numbers in the exhibit to the Confirmation Order reflect the disbursement codes that will be used for all funds received by the Trustee. The Debtor, Debtor's Counsel, each Creditor, and creditor's counsel are each responsible for their own independent review of said disbursement codes as well. DUE TO THE RES JUDICATA EFFECT OF THE CONFIRMATION ORDER AND THE SPECIFIC PROVISIONS THEREIN, IT IS IMPERATIVE THAT COUNSEL FOR ALL INTERESTED PARTIES REVIEW THIS ORDER THOROUGHLY AND TIMELY TAKE ALL STEPS NECESSARY TO CORRECT ANY PERCEIVED INACCURACIES.

Exhibit "A"

Claim Nbr.		Claim Type	Claim Amount	Claim Allowed	Notes	Monthly Payments
AT	Samuel R Pennington	Attorney Fee	\$3,643.00	\$3,643.00		
					01-10/	\$0.00
					11-11/	\$144.84
					12-12/	\$0.00
					13-13/	\$111.45
					14-14/	\$107.04
					15-16/	\$0.00
					17-39/	\$133.63
					40-40/	\$120.99
					41-41/	\$85.19
001	Internal Revenue Service	General Unsecured	\$4,591.16	\$4,591.16	(1)	01-60/ Pro Rata
002	Progress Residential	General Unsecured	\$4,217.17	\$4,217.17		01-60/ Pro Rata
003	Progress Residential	Administrative Fees	\$1,595.78	\$1,595.78	(2)	
					01-01/	\$144.00
					02-03/	\$170.00
					04-06/	\$200.71
					07-10/	\$123.26
					11-11/	\$16.61
004	Santander Consumer Usa, Inc	Secured By Vehicle	\$13,900.00	\$16,514.20	(3)	
					01-01/	\$0.00
					02-03/	\$50.00
					04-06/	\$148.89
					07-10/	\$217.89
					11-11/	\$5.95
					12-12/	\$0.00
					13-13/	\$279.65
					14-14/	\$284.06
					15-16/	\$0.00
					17-41/	\$296.35
					42-59/	\$374.60
					60-60/	\$374.76
005	Lvnv Funding, Llc	General Unsecured	\$1,319.35	\$0.00	(4)	
006	Americredit Financial Services, Inc	General Unsecured	\$15,482.20	\$15,482.20		01-60/ Pro Rata
007	Wells Fargo Card Services	General Unsecured	\$953.08	\$953.08		01-60/ Pro Rata
008	Verizon By American Infosource, Lp /	General Unsecured	\$1,053.94	\$1,053.94		01-60/ Pro Rata
009	Quantum3 Group, Llc	General Unsecured	\$275.50	\$275.50		01-60/ Pro Rata

010	Conerstone Community Finance	Secured By Vehicle	\$4,367.49	\$6,688.59	(5)		
						01-01/	\$0.00
						02-06/	\$50.00
						07-10/	\$58.45
						11-12/	\$0.00
						13-14/	\$124.10
						15-16/	\$0.00
						17-39/	\$129.34
						40-59/	\$141.98
						60-60/	\$142.17
011	State Of Mi-Cd	Secured	\$3,508.30	\$4,012.20	(6)		
						01-16/	\$0.00
						17-59/	\$91.18
						60-60/	\$91.46
350	Samuel R Pennington	Monitoring Fees	\$2,700.00	\$2,700.00	(7)		
						01-12/	\$0.00
						13-14/	\$50.00
						15-16/	\$0.00
						17-40/	\$65.00
						41-41/	\$90.00
						42-60/	\$50.00
504	Santander Consumer Usa, Inc	General Unsecured	\$6,694.62	\$6,694.62		01-60/	Pro Rata
511	State Of Mi-Cd	General Unsecured	\$11,493.95	\$11,493.95		01-60/	Pro Rata

Note (1) THIS CLAIM REPRESENTS AMENDED CLAIM 1-2 FOR THE IRS.

Note (2) THIS CLAIM REPRESENTS AMENDED CLAIM 3-2.

Note (3) PURSUANT TO AMENDED ORDER SUSTAINING DEBTOR'S OBJECTION TO CLAIM FILED ON 4/26/2019, CLAIM ALLOWED IN THE SECURED AMOUNT OF \$13,900.00 PAYABLE WITH 7.00% INTEREST.

Note (4) PURSUANT TO ORDER SUSTAINING OBJECTION TO CLAIM FILED ON 2/25/2019, THIS CLAIM IS DISALLOWED IN ITS ENTIRETY.

Note (5) THIS CLAIM IS BEING PAID WITH 18.2400% INTEREST.

Note (6) CLAIM IS BEING PAID WITH 5.41% INTEREST

Note (7) THIS CLAIM REPRESENTS ATTORNEY MONITORING FEES.

Debtor Payments to the Trustee

<u>Months</u>	<u>Amount</u>
1-1	\$160.00
2-3	\$300.00
4-10	\$444.00
11-11	\$186.00
12-12	\$0.00
13-14	\$628.00
15-16	\$0.00
17-60	\$796.00

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ONLY TIMELY FILED CREDITORS SHALL BE PAID PRO RATA FROM FUNDS AVAILABLE AFTER PAYMENT OF PRIORITY AND SECURED CLAIMS.

Variations in distributions between the debtor's plan and this Order shall be resolved in favor of this Order.

NOTICE TO ALL CREDITORS LISTED ABOVE: In an effort to disburse all funds held by the Trustee on a monthly basis, it is possible that you may on occasion receive partial payment. However, the Claim Allowed by this Court will be paid in full by the end of the Debtor's plan. All undesignated funds will be distributed to unsecured creditors.

ALL TAX RETURNS must be provided to the Trustee annually by April 30. All future refunds from the Internal Revenue Service shall be turned over to the Chapter 13 Standing Trustee for distribution to unsecured creditors.

ACCORDING TO THE CONFIRMED CHAPTER 13 PLAN, or any modified plan thereafter, the last regular monthly mortgage payment to be paid through the Chapter 13 Trustee's office is October 19, 2023. Therefore, it is important that the Debtor resumes their regular monthly mortgage payments directly to the mortgage creditor thereafter.

Trustee Laurie K. Weatherford is directed to serve a copy of this order on interested parties who are non-CM/ECF users and to file a proof of service within 3 days of entry of the order.